S.B.Cr. Misc. Bail Application No.5737/2007
(Apu Ram @ Hardev Ram & Ors. Vs. State of Raj.)

Date of order : 28.11.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Bharat Devasi for the petitioners.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

On perusal of the FIR and the police investigation diary, it appears that there is no allegation of theft against the petitioners and it is not specific how the money and the mobile have been detached from body of the injured. Learned counsel for the petitioners submits that there is a cross-case against the first informant.

Having regard to the facts and circumstances of the case and the fact that the most of the injuries are complaint of pain, simple and by blunt object and having considered the facts and circumstances of the case, I consider it just and and proper to grant anticipatory bail to the petitioners.

Accordingly, the bail application filed by the petitioners under Section 438 Cr.P.C. is allowed and it is

directed that in the event of arrest of petitioners (1) Apu Ram @ Hardev Ram s/o Dhokal Ram (2) Bhanwar Lal s/o Ogar Ram (3) Jagnnath s/o Pema Ram (4) Jetha Ram s/o Dhokal Ram and (5) Jassa Ram s/o Ogar Ram in FIR No.113/2007 Police Station, Luni, Jodhpur, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following order :

(i) That they shall make themselves available for interrogation by a police officer as and when required;

(ii) That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii) That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR), J.

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